

1 BILL NO. S-80-08-02

2 SPECIAL ORDINANCE NO. S-145-80

3
4 AN ORDINANCE approving a contract between
5 the City of Fort Wayne and Commercial Ware-
6 house and Cartage, Inc. for fire protection
7 to premises outside the City.

8 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF
9 FORT WAYNE, INDIANA:

10 SECTION 1. That the contract, dated June 1, 1980,
11 between the City of Fort Wayne, by and through its Mayor and
12 Board of Public Safety, and Commercial Warehouse and Cartage,
13 Inc. and the furnishing of fire protection by the Fort Wayne
14 Fire Department to premises of Commercial Warehouse and Cartage,
15 Inc. outside the city limits, described as follows, to-wit:

16 2425 American Way
17 Allen County, Indiana

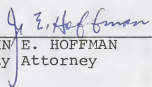
18 at a cost to Commercial Warehouse and Cartage, Inc. of \$1,539.82
19 all as more particularly set forth in said contract which is
20 on file in the Office of the Board of Public Safety and is by
21 reference incorporated herein and made a part hereof, is hereby
22 in all things ratified, confirmed and approved.

23 SECTION 2. The proceeds of such contract received by
24 the City shall be deposited in the City "Fire Fighting Fund"
25 pursuant to I.C. 18-6-8-2.

26 SECTION 3. This Ordinance shall be effective upon its
27 passage and approval by the Mayor.

28 
COUNCILMAN

29 APPROVED AS TO FORM AND
30 LEGALITY NOVEMBER 20, 1980.

31 
32 JOHN E. HOFFMAN
City Attorney

Read the first time in full and on motion by Stier, seconded by Stier, and duly adopted, read the second time by title and referred to the Committee Finance (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19____, at _____ o'clock _____ M., E.S.T.

DATE: 11-25-80

Charles W. Westerman
CHARLES W. WESTERMAN
CITY CLERK

Read the third time in full and on motion by Stier, seconded by Stier, and duly adopted, placed on its passage. PASSED (~~lost~~) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
TOTAL VOTES	<u>9</u>	<u>0</u>			
BURNS	<u>X</u>				
EISBART	<u>X</u>				
GiaQUINTA	<u>X</u>				
NUCKOLS	<u>X</u>				
SCHMIDT, D.	<u>X</u>				
SCHMIDT, V.	<u>X</u>				
SCHOMBURG	<u>X</u>				
STIER	<u>X</u>				
TALARICO	<u>X</u>				

DATE: 12-5-80

Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE (RESOLUTION) No. S-145-80 on the 7th day of December, 1980.

ATTEST:

(SEAL)

Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

Vivian J. Schmidt
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of December, 1980, at the hour of 11:30 o'clock A. M., E.S.T.

Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

Approved and signed by me this 10th day of December 1980, at the hour of 3 o'clock P. M., E.S.T.

Winfield C. Moses, Jr.
WINFIELD C. MOSES, JR.
MAYOR

BILL NO. S-80-11-02

REPORT OF THE COMMITTEE ON FINANCE

WE, YOUR COMMITTEE ON FINANCE TO WHOM WAS REFERRED AN
ORDINANCE approving a contract between the City of Fort Wayne and
Commercial Warehouse and Cartage, Inc. for fire protection
to premises outside the City

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT
BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE DO PASS.

JAMES S. STIER, CHAIRMAN

MARK GIAQUINTA, VICE CHAIRMAN

BEN EISBART

PAUL M. BURNS

DONALD J. SCHMIDT

12-9-80
DATE CONCURRED CHARLES W. WESTERMAN, CITY CLERK

FIRE PROTECTION CONTRACT

This contract is entered into in duplicate this 1st day of June, 1980 between the City of Fort Wayne, Indiana, acting by and through its Mayor and Board of Commissioners, Department of Public Safety ("CITY"), and Commercial Warehouse and Cartage, Inc. ("COMMERCIAL WAREHOUSE").

WHEREAS, Commercial Warehouse is the lessee of certain improvements upon real estate near but outside the corporate limits of the CITY described as follows:

2425 American Way, Allen County, Indiana

and, WHEREAS, Commercial Warehouse desires to be assured that fire protection by CITY is available at its premises,

NOW, THEREFORE, in consideration of the premises and the agreements of the parties, it is agreed as follows:

1. Upon the receipt by CITY'S Fire Department of a notification or signal that there is a fire on said premises of Commercial Warehouse, CITY shall cause the proper firefighting station or stations to send such firefighting equipment, materials, and personnel to Commercial Warehouse premises as it reasonably sends to other similar locations within the corporate limits of the CITY.

2. For the firefighting services provided for herein, Commercial Warehouse shall pay to CITY the sum of One and One Hundred Eighty Four Ten Thousandths Dollars (\$1.0184) per One Hundred Dollars (\$100.00) of assessed valuation for tax purposes on the improvements situated upon the real estate so defined herein, which assessment is hereby agreed to be established at One Hundred Fifty One Thousand Two Hundred Dollars (\$151,200). Said sum of \$1,539.82 shall be payable upon execution of this contract.

3. CITY shall cause its fire department personnel to inspect said building, equipment and facilities periodically, at mutually convenient times, to familiarize such personnel with said building, equipment, and facilities and Commercial Warehouse's operations on its premises, so as to determine the types of fire which may reasonably be anticipated on said premises and so as to be able to render service commensurate with existing service conditions.

4. The obligations under this contract shall continue for a period of one year to June 1st, 1981.

5. Notwithstanding the foregoing provisions, this contract shall not become effective until it shall have been signed by the Mayor and the Members of the Board of Commissioners, Department of Public Safety of CITY, and ratified and approved by the Common Council of CITY.

IN WITNESS WHEREOF, this agreement has been duly authorized and executed as of the date first above written by the duly authorized officers and representatives of the parties.

COMMERCIAL WAREHOUSE AND CARTAGE, INC.

By: *Robert P. Rhodes*

CITY OF FORT WAYNE, INDIANA

By: *Win C. Moses, Jr.*
Win C. Moses, Jr., Mayor

BOARD OF COMMISSIONERS,
DEPARTMENT OF PUBLIC SAFETY

Chairman

William H. White
William H. White, Member

Helen J. Brown
Helen J. Brown, Member

I hereby certify that the foregoing contract was ratified and approved by Common Council of the City of Fort Wayne, Indiana on December 9, 1980.

Charles W. Westerman
Charles W. Westerman, Clerk

4961.

Admn. Appr. _____

DIGEST SHEET

8-50-11-02

TITLE OF ORDINANCE Outside the City Limits Fire Contract

DEPARTMENT REQUESTING ORDINANCE Board of Public Safety

SYNOPSIS OF ORDINANCE This would allow the City of Fort Wayne to provide
fire protection for Commercial Warehouse and Cartage, Inc. They in turn will
pay the City \$1,539.82 which is used to purchase fire equipment.

EFFECT OF PASSAGE The Fort Wayne Fire Department will receive \$1,539.82.

EFFECT OF NON-PASSAGE The Fort Wayne Fire Department will lose \$1,539.82

MONEY INVOLVED (Direct Costs, Expenditures, Savings) none

ASSIGNED TO COMMITTEE (J.N.) _____

DATE SUBMITTED: _____

Finance